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September 17, 2001

### VIA HAND DELIVERY

Mr. K. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

**Re:    *Joint Petition of Crockett Telephone Company, Inc., Peoples' Telephone Company, West Tennessee Telephone Company, Inc., and the Consumer Advocate Division of the Office of the Attorney General for the Approval and Implementation of Earnings Review Settlement.***  
***Docket No. 99-00995***

Dear Mr. Waddell:

Enclosed please find the original and thirteen (13) copies of the Response of Crockett Telephone Company, Inc., Peoples' Telephone Company, and West Tennessee Telephone Company, Inc. in Opposition to AT&T's Petition for Reconsideration for filing in the above-referenced docket. I have also enclosed an additional copy of the Response, which I would appreciate your stamping "filed," and returning to me by way of our courier.

Should you have any questions with respect to this matter, please do not hesitate to contact me.

Best regards.

Very truly yours,



R. Dale Grimes

RDG/gci  
Enclosures

cc:    Jack W. Robinson, Jr., Esq. (via hand delivery, w/ enclosure)  
     Timothy C. Phillips, Esq. (via hand delivery, w/ enclosure)  
     J. Richard Collier, Esq. (via hand delivery, w/ enclosure)  
     T.G. Pappas, Esq. (w/ enclosure)  
     Mr. Gregory Eubanks (w/ enclosure)  
     Mr. Thomas W. Ott (w/ enclosure)

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE:	)	
	)	
JOINT PETITION OF CROCKETT TELEPHONE	)	
COMPANY, INC., PEOPLES' TELEPHONE	)	
COMPANY, WEST TENNESSEE TELEPHONE	)	
COMPANY, INC., AND THE CONSUMER	)	Docket No. 99-00995
ADVOCATE DIVISION OF THE OFFICE OF THE	)	
ATTORNEY GENERAL FOR THE APPROVAL	)	
AND IMPLEMENTATION OF EARNINGS REVIEW	)	
SETTLEMENT	)	

**RESPONSE OF CROCKETT TELEPHONE COMPANY, INC.,  
PEOPLES' TELEPHONE COMPANY, AND WEST TENNESSEE  
TELEPHONE COMPANY, INC. IN OPPOSITION TO  
AT&T'S PETITION FOR RECONSIDERATION**

Petitioners Crockett Telephone Company, Inc., Peoples' Telephone Company, and West Tennessee Telephone Company, Inc. (the "TEC Companies") respectfully oppose AT&T's Petition for Reconsideration of the Pre-Hearing Officer's Order dated August 24, 2001, on the grounds that it is unnecessary and will only add delay to the ultimate conclusion of this matter.

AT&T seeks an order requiring the TEC Companies to respond to AT&T's outstanding discovery requests and modifying the procedural schedule for filing testimony. In support of this request, AT&T contends that without responses to the outstanding discovery, it is not able to submit testimony on the substantive issues established by the Pre-Hearing Officer in the August 24, 2001 Order.

The TEC Companies respectfully submit that answers to AT&T's discovery requests are not necessary for the proper disposition of this docket. First, the day after filing the Petition for Reconsideration, AT&T did file testimony of its witness Richard T. Guepe despite the absence of

answers to the discovery requests, and has presented his testimony on some of the very issues to which the discovery was addressed.

Second, a large portion of the discovery requests seek information that is a matter of public record, consisting of tariffs and orders filed with and by the TRA and its predecessor agency. Responses to discovery are not needed to obtain such information, which is fully available to members of the public such as AT&T.

Third, answers to some of the requests do not exist, such as information concerning the costs of providing local residence and business service or access services. As stated in the Rebuttal Testimony of Dwight S. Work, the TEC Companies “are average schedule companies and therefore do not have cost studies related to the access charge elements” contested by AT&T. Nor do the TEC Companies have cost information for local service. Accordingly, any questions directed to such costs cannot be answered.

Fourth, without the cost information, other requests seek information that will be meaningless, and will not lead to the discovery of evidence that will be material to this case, such as the requests for information about the TEC Companies’ aggregate revenues and monthly average revenues for local residential and business services. AT&T’s position in this docket is that the TEC Companies’ local residence and business rates are below cost and should not be reduced further by customer credits as proposed by the Earnings Review Settlement. However, discovering the TEC Companies’ revenues for such services cannot help AT&T make this point because there is no cost information available to determine whether rates for the services are below cost or not. Accordingly, providing information concerning the revenues and average monthly revenues for those services will not provide any evidence on which AT&T can support the point it wants to make.

Under these circumstances, requiring the TEC Companies to respond to these discovery requests would generate unnecessary activity in this case that will not assist the Pre-Hearing Officer or the Directors in making the decision before them: whether the earnings review settlement provides just and reasonable rates and terms that are fair to the companies' customers and therefore should be approved. Moreover, it would be unduly burdensome on the TEC Companies to accumulate and analyze the information required to answer the requests (bearing in mind also that cost information does not exist).

Accordingly, the TEC Companies respectfully submit that AT&T's Petition for Reconsideration should be denied.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Dale Grimes", written over a horizontal line.

R. Dale Grimes (#6223)

T. G. Pappas (#2703)

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*Attorneys for Crockett Telephone Company,  
Inc., Peoples' Telephone Company, and  
West Tennessee Telephone Company, Inc.*

### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Response of Crockett Telephone Company, Inc., Peoples' Telephone Company, and West Tennessee Telephone Company, Inc. In Opposition To AT&T's Petition for Reconsideration has been served upon the following, via the method(s) indicated, this the 17 day of September, 2001:

[ <input checked="" type="checkbox"/> Hand	Jack W. Robinson, Jr., Esq.
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